

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT M. WALLACE, MARVIN W. GOWENS
and STEVEN A. HENCK

Appeal No. 2001-0162
Application 08/824,594

ON BRIEF

Before JERRY SMITH, FLEMING, and SAADAT, **Administrative Patent Judges**.

FLEMING, **Administrative Patent Judge**.

DECISION ON REQUEST FOR REHEARING

Appellants request that we reconsider our decision dated November 18, 2002, with respect to affirming the Examiner's decision rejecting claim 1 under 35 U.S.C. § 102 and claim 8

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optical element in claim 8. Appellants argue that the term "chemically bonded" has a definite meaning to those skilled in the art to require more than mere adhesion but rather a chemical reaction between the coating and the surface of the window or optical element. The Appellants have provided the McGraw . . Hill Dictionary of Scientific and Technical Terms, Fourth Edition, as evidence for this meaning.

Appellants point out that Chiklis does not teach or suggest chemical bonding as to require a chemical reaction between the coating and the surface of the window or optical element. Appellants point out that Chiklis teaches adhesion only.

In view of this interpretation of the term "chemically bonded" to mean a chemical reaction between the atoms of the coating and the atoms of the surface of the window or optical element, we thereby find that Chiklis does not teach or suggest the claimed limitation "a fluorinated coating chemically bonded to at least one surface of said" window in claim 1 and optical element in claim 8. Therefore we reverse the rejection of claim

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Appellants' request for rehearing is granted.

GRANTED

JERRY SMITH)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
MICHAEL R. FLEMING)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
MAHSHID SAADAT)	
Administrative Patent Judge)	

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